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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CARLOS EDUARDO LEMUS,
15 Defendant.

Case No. 2:24-MJ-00622-BNW

**STIPULATION TO CONTINUE
BENCH TRIAL**
(First Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Skyler Pearson, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and
20 Keisha K. Matthews, Assistant Federal Public Defender, counsel for Carlos Eduardo Lemus,
21 that the bench trial currently scheduled on October 23, 2024, at the hour of 9:00 a.m., be vacated
22 and continued to a date and time convenient to the Court, but no sooner than ninety (90) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. Government counsel passed initial discovery on October 3, 2024.
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2. Counsel for the defendant needs additional time to review discovery and conduct investigations to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

3. The defendant is out of custody and agrees with the need for the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

This is the first request for a continuance of the bench trial.

DATED this 17th day of October 2024.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

/s/ Keisha K. Matthews
By _____

/s/ Skyler Pearson
By _____

KEISHA K. MATTHEWS
Assistant Federal Public Defender

SKYLER PEARSON
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS EDUARDO LEMUS,

Defendant.

Case No. 2:24-mj-00622-BNW

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Government counsel passed initial discovery on October 3, 2024.
2. Counsel for the defendant needs additional time to review discovery and conduct investigations to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.
3. The defendant is out of custody and agrees with the need for the continuance.
4. The parties agree to the continuance.
5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the

1 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
2 account the exercise of due diligence.

3 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United
4 States Code, Section 3161(h)(7)(A), when considering the facts under Title 18, United States
5 Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

6 **ORDER**

7 IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday,
8 October 23, 2024, at 9:00 a.m., be vacated and continued to 02/05/2025 at
9 9:00 a.m.

10 DATED this 21 day of October 2024.

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12 UNITED STATES MAGISTRATE JUDGE
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